

APPENDIX A

Immigration Status



The following tables provide information about immigration statuses considered “qualified status” for SSI eligibility. For further information, consult the SSA Web site: www.ssa.gov/notices/supplemental-security-income/spotlights/spot-non-citizens.htm. A case manager should consult an immigration expert or legal counsel for complex immigration issues.

Figure 5. **Aliens Eligible for SSI**

Alien Category*	Circumstances Under Which Alien Is Eligible for SSI
Qualified Alien <i>(See following Figure 6 for explanation of qualified)</i>	Eligible if: <ul style="list-style-type: none"> • Was receiving SSI on 8/22/96; OR • Was lawfully residing in the country on 8/22/96 and is currently blind or disabled; OR • Meets veteran exemption; OR • Meets Native American exception.
Legal Permanent Residents	Eligible if: <ul style="list-style-type: none"> • Entered the country on or before 8/22/96 and meets the 40-quarters exemption; OR • Entered the country after 8/22/96, has been in the country at least 5 years, and meets the 40-quarters exemption. (Note: No one could qualify under these criteria prior to 8/23/01.) <i>(See also “Qualified Alien” eligibility categories, above.)</i>
-Entered the country as a refugee (or was granted refugee status) -Granted asylum Status -Granted Cancellation of Removal -Cuban/Haitian Entrant	Eligible if: <ul style="list-style-type: none"> • Entered the country or granted status in the last 7 years. <i>(The 7-year “clock” begins to run at the time the alien was granted one of these statuses. For example, asylees are eligible for SSI for the first 7 years after they were granted asylum status, not seven years after they first entered the U.S. Similarly, those granted cancellation of removal are eligible for SSI for the first 7 years after they were granted cancellation of removal.)</i> <i>(See also “Qualified Alien” eligibility categories and, if applicable, the “Legal Permanent Resident” eligibility categories, above.)</i>

Figure 5. Aliens Eligible for SSI (cont'd)	
Amerasian Alien	Eligible if: <ul style="list-style-type: none"> Entered the country or granted status in the last seven years. (See also "Qualified Alien" and "Legal Permanent Resident" eligibility categories above.)
Non-Qualified Alien	Eligible if meets Native American exception.
* Some aliens will fall into more than one alien category. In such cases, the alien is eligible for SSI if he or she falls into at least one eligible category.	

Figure 6. Groups of Aliens Defined as Qualified	
Alien Category	Description
Legal Permanent Resident (LPR)	Person granted lawful permanent residence status (green card holders)
Refugee	Person admitted as a refugee
Asylee	Person granted asylum
Granted Cancellation of Removal (formerly called—Withholding of Deportation)	Person granted cancellation of removal
Parolee for a year or more	Person who has been paroled into the U.S. for at least one year
Cuban and Haitian Entrant	Person paroled into the U.S. as a Cuban or Haitian Entrant who is the subject of exclusion or removal proceedings or who has an application for asylum pending
Domestic Violence Victims and their parents or children	Regardless of the individual's immigration status, a victim of domestic violence or his/her parent or child is "qualified" if: <ul style="list-style-type: none"> Alien has been battered or subjected to extreme cruelty, or alien's child or parent has been battered, by a spouse, parent, or member of the household; Alien has a pending or approved spousal petition or a petition pending for relief under the Violence Against Women Act; and Alien's need for assistance has a substantial connection to the battery or cruelty